

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LEWIS COUNTY, WASHINGTON**

IN THE MATTER OF THE PROPOSED     }  
VACATION OF JOHNSON CREEK         }  
ROAD EAST NO. 995                    }

RESOLUTION NO. 12-402

**WHEREAS**, on the 5th day of December, 2012, the Engineer's Report on the matter of the proposed vacation of the following described Johnson Creek Road East No. 995 was filed in the office of the County Commissioners of Lewis County, Washington:

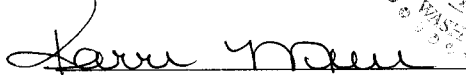
All that part of Johnson Creek Road East lying east of Johnson Creek Road and West of U.S. Highway 12 in Section 33, Township 13 North, Range 9 East, W.M.

**WHEREAS**, the Engineer's Report on Johnson Creek Road East and all related materials having been reviewed by the Board and found appropriate for further proceedings.

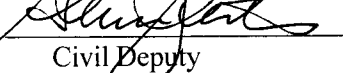
**NOW, THEREFORE, BE IT RESOLVED** that the 14<sup>th</sup> day of January, 2013 at or after the hour of 10:00 a.m., in the Commissioners Hearing Room on the 2nd floor of the Historical Courthouse in Chehalis, Washington, has been fixed by said Board as the time and place for the hearing on the Johnson Creek Road East Engineer's Report, when and where all persons may appear and be heard upon the report and upon the matter of the vacation of Johnson Creek Road East and that the Clerk of the Board is hereby instructed to proceed with all necessary notifications, posting and publication.

DATED this 17th day of December, 2012.

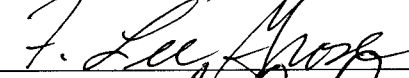
ATTEST:


  
Karri Muir, Clerk of the  
Board of County Commissioners

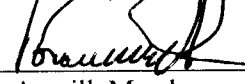
APPROVED AS TO FORM:  
JONATHAN L. MEYER,  
Prosecuting Attorney

By:   
Civil Deputy

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

  
F. Lee Grose, Chairman

  
P.W. Schulte, Vice Chairman

  
Ron Averill, Member

IN THE MATTER OF THE OF THE ORDER OF THE }  
LEWIS COUNTY BOARD OF COMMISSIONERS }  
FOR THE PROPOSED VACATION OF JOHNSON }  
CREEK ROAD EAST }

ENGINEERS REPORT

TO THE BOARD OF COUNTY COMMISSIONERS:

I, the undersigned County Engineer of Lewis County, Washington, to whom was referred on the 29th day of October, 2012 by Resolution 12-334, ordering me to examine Johnson Creek Road East No. 995, in Section 33, Township 13 North, Range 9 East, W.M., stating that said Board intends to proceed to determine whether said road should be vacated and abandoned for the reason that it is useless as a part of the County road system and that the public will be benefited by its vacation and abandonment, herewith submit my report thereon:

FIRST: This right of way was part of Primary State Highway No. 5. On August 27, 1963, the Washington State Department of Highways declared that this portion of Primary State Highway 5 was no longer necessary to the state highway system and it was to become a county road as of that date. A Quit Claim Deed recorded under Lewis County Auditor's File No. 9001253 later conveyed title to the right of way to Lewis County.

SECOND: The right of way proposed for vacation is approximately 700 feet in length, extending easterly from Johnson Creek Road to U.S. Highway 12, and is not presently maintained by the County.

THIRD: There have been no previous vacations of Johnson Creek Road East.

FOURTH: A paved road does exist on the right of way but has not been maintained by the County for many years.

FIFTH: All properties adjoining the road are owned by Jesse and Lizbeth Renfro who have requested that the road be vacated.

SIXTH: Utility companies known to service the general area have been notified. Public Utility District No. 1 of Lewis County and CenturyLink do have utilities on the right of way. RCW 36.87.140 allows an easement for existing utilities to be retained over the vacated right of way which in my opinion is appropriate in this instance.

SEVENTH: The right of way does not abut a body of water, nor is it necessary as part of the county road system.

EIGHTH: The \$700.00 Administration fee for the vacation has been paid by the applicant. The applicant has also deposited \$200.00 for legal publication fees.

In my opinion, this portion of road should be vacated for the reason that the public will be benefited by its vacation, returning the property to the tax rolls.

I include with this report a map showing the road proposed to be vacated.

Respectfully submitted this 5<sup>th</sup> day of DECEMBER, 2012.

  
Tim Elsea, P.E.,

Director/County Engineer

## NOTICE OF HEARING

**NOTICE IS HEREBY GIVEN** that on the 5th day of December, 2012, the Engineer's Report on the matter of the proposed vacation of Johnson Creek Road East was filed in the office of the County Commissioners of Lewis County, Washington, said road described as follows, to wit:

All that part of Johnson Creek Road East lying east of Johnson Creek Road and West of U.S. Highway 12 in Section 33, Township 13 North, Range 9 East, W.M.

Said report and all related materials having been reviewed by the Board and found appropriate for further proceedings and that the 14th day of January, 2013 at or after the hour of 10:00 a.m., in the Commissioners Hearing Room on the 2nd floor of the Historical Courthouse in Chehalis, Washington, has been fixed by said Board as the time and place for the hearing on said Engineer's Report, when and where all persons may appear and be heard upon said report and upon the matter of the vacation of said road.

DATED this 17th day of December, 2012.

  
Karri Muir  
Clerk of the Board  
of County Commissioners

Publish: East County Journal Dec. 19 & 26, 2012

